

En Banc

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Newsletter of the Superior Court Law Library

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New Library Services

☐ Horizon

Presiding Judge Robert D. Myers recently approved a contract for a new online library system, *Horizon*, from Ameritech Library Services. This new system will allow users to see what items are available here in the Library and search for them by subject, author, title, or call number. *Horizon* is an easy to use graphical program that will provide you with much more information about a book, including availability and location, and should be available on your desktop by the end of 1997.

☐ Westlaw Tips and Training

Individual *Westlaw* training sessions are still available for Judges and Commissioners. Please call Susan Armstrong in the Law Library at x3945 to schedule training. The training can be as long or as short as you would like. Copies of the *Westlaw Database List* are still available from Susan.

To make your research more time and cost effective, consider these shortcuts:

✓ If you know the database you would like to search in, you can enter it after typing in your *Westlaw* password. For example, if you want to search the Pacific Reporter database, you would type your password, space, then type PAC.

✓ Let's say, if after searching in the Pacific Reporter database and finding no case on point, you decide to run the same search in the 9th Circuit. You can type SDBCTA9. What you are telling the computer is to run the same search (S) in the database (DB) for the 9th Circuit (CTA9).

✓ While you do have unlimited use online, please consider other sources where you might obtain the same information. The Law Library has CD-ROM collections which provide Arizona and 9th Circuit decisions with no cost to the user. In addition, the Library will always photocopy any case or other materials that you may need, saving online and printing costs.

☐ Collection Development

As some of you might have noticed, some of the areas in the book stacks suddenly have fewer books. This is because we are in the process of updating our collection. The first step is to remove all of the old, outdated materials. The staff then go through the collection and determine what areas need to be updated. After the books are removed they will be placed in closed storage here in the Library, or sold, exchanged, recycled, or donated, according to procurement rules.

If there is a particular book that you feel would be useful for the Library to own, please stop by the Reference Desk and let the staff know. We cannot accommodate all requests, but we will certainly take them into consideration.

☐ Training Opportunities

The Law Library is in the process of adding several new training opportunities for attorneys and their staff members, judges and their staff, and the public. The classes are being held in the online services room and will cover what types of electronic resources are available in the library and how to use them to assist with legal research. These classes are designed as a basic introduction to our network of legal research tools. Future classes will cover how to use specific

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programs, how to improve your searching techniques, and how to use the Internet for legal research. The Electronic Resources class for members of the bar is being offered from 12:15 to 1:15 on alternating Thursdays in January. Class size is limited and computer familiarity is helpful, but not required.

The Reference staff is in the process of scheduling the COJET's for the first quarter. Planned classes include: Basic Law Library Research, Advanced Law Library Research, How to Find a Statute, and How to do Legislative History. Classes are being held from 9 - 10:30 on alternate Wednesdays.

Space is limited so please call to determine when classes are being held or to register. If these times are not convenient please contact the reference staff and they will be happy to set up a time to work with you on an individual basis.

In addition to the classes the Reference staff will schedule one-on-one training sessions with patrons to teach you how to use our computer resources.

Please contact the Reference Staff at 506-3681 to register for a class, schedule a one-on-one session, obtain more information, or to inquire about future training opportunities.

Electronic Resources

❑ Computer Resources

The Library has received several new CD-ROM databases in the past few months, including:

- *Federal Procedural Forms and AmJur Pleading and Practice Forms* (Lawyer's Cooperative)
- *Wright and Miller Federal Practice and Procedure and Restatements of the Law* (West Publishing)
- *Bankruptcy Citations, U.S. Citations* (Supreme Court Reporter, United States Reports, Lawyer's

Edition), and *Federal Citations* (Federal Statutes, Federal Reporter, and Federal Supplement) (Shepard's)

We have also added two new public access computers to the online room, and one on the West side of the 2nd floor. We have been increasing the number of computer oriented research classes we are offering, and encourage everyone to attend!

Due to an increase in the number of patrons using the computers and printing information, we must ask that all patrons please limit printing to twenty-five pages. Materials can be downloaded to disks and imported into any IBM compatible word processor. Patrons may use their own disks or purchase one from the Information Desk for \$1.00.

Please ask the Reference staff for assistance if you have any questions.

❑ Database Review

The Law Library has two databases that use search software developed by SilverPlatter International: *Index to Legal Periodicals & Books*, produced by The H.W. Wilson Company, and *PAIS International*, produced by Public Affairs Information Service, Inc. These databases are both useful for researchers needing access to the literature of law and the social sciences.

Index to Legal Periodicals & Books indexes articles from more than 615 legal periodicals, and indexes approximately 2,000 law books per year. Law reviews, bar association journals, and government publications are all indexed. All areas of law are covered, including recent court decisions, new legislation, and original scholarship.

PAIS International covers the subject areas of public policy, social policy, and the social sciences in general. *PAIS* indexes a variety of sources, including journal articles, books,

government documents, and reports of public and private organizations.

When using the SilverPlatter software, the user is given the choice of which database to search. It is also possible to search both databases at the same time. The search screen is very user friendly, simply enter keywords in the search area, and results will be displayed in the screen below. Keywords used are highlighted in red in the resulting citations, so the user can easily see where they appear in the text. The default display is brief format, but long format, which includes subject descriptors and some contents notes, can easily be displayed by clicking on the "All Fields" button at the bottom of the screen. Citations can be printed or downloaded to disk. The software also allows for more complex searching, and has a detailed help menu.

The Library staff has prepared information sheets on how to use *Index to Legal Periodicals* and *PAIS*. These are available in the 2nd floor online room. As always, help with database searching and research is available at the Reference Desk on the 2nd floor.

❑ Internet Site Review

The Avalon Project - Yale Law School
<http://www.yale.edu/lawweb/avalon/avalon.htm>

This site provides access to many important historical documents in the areas of law, politics, government and history. In many cases the documents are annotated with hyperlinked definitions and footnotes. Some of the documents available include the Magna Carta, the Code of Hammurabi, the NATO treaty, and the Emancipation Proclamation.

Anyone who is interested in history, politics, or the law would benefit from taking a look at this site. The documents are invaluable resources and the Yale scholars have added value by digitizing the documents

and adding hyperlinks.

❑ Useful Internet Sites

DocLaw - A Gateway to Federal Government Information
<http://lawlib.wuacc.edu/washlaw/doclaw/>

Georgetown Law Center
<http://www.ll.georgetown.edu/>

Law Journal Extra!
<http://www.ljextra.com/>

AALLNET - American Association of Law Libraries Legal Research Site
<http://lawlib.wuacc.edu/aallnet/aallnet.html>

Bookwire -
<http://www.bookwire.com/>

Library Staff

❑ Featured Employees

Each month we will interview some of the Library staff members. This will give you an opportunity to become better acquainted with the staff who assist you. This month we are featuring the Law Library Director, Marcus Reinkensmeyer, and Assistant Director, Richard Teenstra.

Marcus, a Deputy Court Administrator with the Superior Court since 1991, assumed the Law Library Director position in January 1996. Marcus began his career as an adult probation officer in Illinois after graduating from Michigan State University Honors College. Prior to coming to Arizona, he served as Assistant Director of the Administrative Office of the Courts, trial court administrator and assistant superintendent of juvenile detention in the State of Illinois court system. Presently, he serves as adjunct faculty for Arizona State University, College of Public Affairs, and is on the Board of Directors for the Arizona Courts Association.

Marcus has published several articles on court administration. His

goal as Law Library Director is to more fully integrate library services with the operational divisions of the court.

Richard was born in St. Charles, IL, and lived in a small village called Lake in the Hills, IL, until moving to Phoenix in 1966. His parents were both born in the Netherlands, so he is a first generation American. Richard has a B.S., Political Science from Arizona State University, and a J.D. from Georgetown University, and so is a big fan of ASU football and GU basketball. He worked at the Georgetown University Law Library, started at this Library in 1979, and has had both reference librarian and collection management responsibilities. He is currently responsible for Library operations and planning. Richard is the driving force behind the Library automation projects. He has greatly expanded the electronic resources available here in the Library. In addition to increasing our computer resources, Richard keeps the Library running smoothly.

❑ From The Southeast Branch

The Southeast Branch started in the mid 1980's in a room in the original leased Superior Court Complex on Mesa Drive, with a small collection used mostly by judges and attorneys. In 1987 the Law Library moved to a separate suite in the complex, and in Spring 1991 the new Library opened in the Southeast Regional Facility at 222 E. Javelina, Mesa.

The Southeast branch houses a 22,000 volumes collection of reporters and treatises, including all the national and regional reporters, Arizona materials and a well-balanced treatise collection.

The branch is staffed by Mary Grace Oakes, Reference Librarian, and Karen Ferguson Ruiz, Library Assistant. Library users include judges and their staff, the southeast valley legal community and the

general public.

Domestic relations and *QuickCourt* questions from pro pers comprise about 70% of our information and reference assistance, but we also receive a variety of questions on discrimination, pensions, bankruptcy, homeowner's associations, juvenile law, personal injury, Justice of the Peace and Small Claims Court, civil and criminal traffic matters.

The Southeast Branch is networked to the collection of CD-ROM's and other electronic databases at the downtown Law Library, and is connected to the Internet. WESTLAW and LEXIS/NEXIS are also available to aid you in your legal research if you have your own password. Diskettes are available for purchase for downloading information.

The Southeast Branch is open 8:00AM - 5:00PM, Monday through Friday. Please stop by the Circulation or Reference Desk for assistance, or call 506-2065.

Did You Know?

Find out how much you actually know about our judges and court history. Answers are on the bottom of page four.

1) Which judge served the shortest tenure of any commissioner turned judge?

2) Which judge's grandfather owned a cattle and ostrich ranch in Tempe in 1892?

3) Which judge got four F's and a D in his first semester of law school?

4) Which judge received the Distinguished Public Lawyer Award in 1988?

New Materials in the Library

❑ Book Reviews

Icove, David, Karl Seger & William VonStorch. *Computer Crime: A Crimefighter's Handbook*. O'Reilly & Assoc., Inc., 1995.

Every day trillions of dollars and millions of pieces of important information are sent over computer networks. You, yourself, may use a computer to transact business in this fashion, but have you every stopped to consider what might happen if it doesn't reach the other end? What if someone, an unintended someone, intercepts it along the way? What if that same unintended someone breaks into your computer? Are you prepared to simply accept that loss and walk away or are you prepared to fight? *Computer Crime: A Crimefighter's Handbook* is designed to not only help prevent such crimes, but also to help you recover from them if they do happen.

Someone once said "Know your enemy" and *Computer Crime* aids you in doing that. The first stop along the path is to know what and who it is you are dealing with. Do you know who would commit such crimes? *Computer Crime* does. Do you know how it would happen? *Computer Crime* does. *Computer Crime* gives you an overview of each type of computer crime and who commits such crimes and what laws are out there to stop them.

Once you know your enemy you can attempt to prevent the crimes from happening. *Computer Crime* looks at each type of breach that might occur and identifies ways to stop them from occurring. What if you do encounter a break-in? Don't worry. *Computer Crime* can help. If a breach occurs there are certain steps that you should take and *Computer Crime* identifies them and helps you implement them. Once you have cleaned up the mess you can get on with prosecuting those you committed the crime.

Computer Crime: A Crimefighter's Handbook is fascinating reading.

Don't allow yourself or your business to become a victim. Take steps to prevent it now. *Computer Crime: A Crimefighter's Handbook* will help you do that. Look for it in our "New Books" section or in the general stacks at HV 6773 .I36 1995.

Pannick, David *Advocates*. Oxford University Press, 1992.

Advocates takes a critical, but often times amusing, look at the life of lawyers. How do they deal with their clients? How do they deal with the morality of their professional lives versus their personal lives? This book is written by an advocate from London and is a compilation of anecdotes he has gathered from around the world. The anecdotes are taken from actual cases and deal with how lawyers handle their clients, how they deal with judges and others of their profession and how they deal with success or failure. I found this book to be amusing and well worth a read by anyone, whether lawyer, student, judge or otherwise. Find out how other lawyers deal with life. Look for this book in our "New Books" section, or in the general stacks at KD 460 .P36 1992.

□ Article Reviews

Hon. B. Michael Dann, "From the Bench: Free the Jury." 23 *Litigation* 5 (Fall 1996).

Judge Dann, chair of the Arizona Supreme Court Committee on More Effective Use of Juries, has written several excellent articles on jury reform. This latest article begins by taking a look at how juries have functioned in different courts throughout history and examines how the perception of an "ideal juror" has changed with the passage of time.

Dann then explores several studies of juries and their role within the trial process. The current findings support the notion that jurors need to be active through the trial process.

The studies confirm that an active juror is more likely to learn and less likely to become confused.

There are differences between the actual juror and the ideal juror that must be noted. Dann describes some of these differences including the fact that actual jurors: "have selective and imperfect recall of the law and the evidence"; "use 'cognitive filters' during trial"; "may be frustrated and confused by the adversary system"; and "should be a participant in an interactive process".

With the understanding of these differences Judge Dann proposes several ways for judges and attorneys to enhance the juror role in the trial process including: case-specific juror orientation, juror notebooks, document control, and allowing the questioning of witnesses by jurors.

If judges and attorneys follow the recommendations made by Judge Dann in this article they are likely to find that the juries they interact with will be better able to make an informed judgment and will be happier with the overall experience of serving on a jury.

"Did You Know" Answers:

- 1) Judge Hilliard (Maricopa Lawyer, April 1986)
- 2) Judge Pickrell (Maricopa Lawyer, July 1993)
- 3) Judge Silverman (Maricopa Lawyer, September 1991)
- 4) Judge Schafer (Maricopa Lawyer, April 1989)

❑ Recently Received Books

This last section contains a list of selected new materials received in the library. Materials marked with an asterisk circulate. New materials are located on the shelves near the elevator on the plaza level for about one month. Please check the regular shelves if the book you are looking for is not there.

Appelbaum, Paul S. *Almost A Revolution: Mental Health Law And The Limits Of Change*. Oxford
KF 3828 .A97 1994

Ball, Howard. *Of Power And Right: Hugo Black, William O. Douglas, And America's Constitutional Revolution*. Oxford
KF 8744 .B275 1991

**Basic Documents In International Law*. Oxford
JX 68 .B78

Beauchamp, Tom L. *Principles Of Biomedical Ethics*. Oxford
R 724 .B36 1994

Cranston, Ross. *Legal Ethics and Professional Responsibility*. Oxford
KD 479 .L44 1995

Dobbs, Marian F. *Enforcing Child & Spousal Support*. Clark Boardman Callaghan
KF 549 .D63 1995

*Dombroff, Mark A. *Trial Hearsay: Objections & Exceptions*. James Publishing
KF 8969 .D65 1996

Ely, James W. *The Guardian Of Every Other Right: A Constitutional History Of Property Rights*. Oxford University Press
KF 562 .E54 1992

*Fortune, William H. *Modern Litigation and Professional Responsibility Handbook*. Little, Brown and Co.
KF 306 .F67 1996

Gray, Christine. *Judicial Remedies*

In International Law. Oxford
JX 1990.A G73 1990

*Grossman, George S. *Legal Research : Historical Foundations Of The Electronic Age*. Oxford University Press
K 85 .L45 1994

Hart, H. L. A. *The Concept Of Law*. Oxford
K 237 .H3 1994

Joynt, R. *Clinical Neurology*. Lippincott-Raven
RC 346 C55 1996

**Judicial Performance Evaluation Handbook*. ABA
KF 8778 .Z9 J82 1996

Judicial Settlement Manual. National Judicial College
KF 276 .J843 1991

Laycock, Douglas. *The Death Of The Irreparable Injury Rule*. Oxford University Press
KF 9010 .L39 1991

Legal Ethics And Professional Responsibility. Oxford
KD 479 .L 4 1995

*Magee, David S. *Everything Your Heirs Need To Know: Your Assets, Family History, & Final Wishes*. Dearborn Financial Publishing
KF 750.Z9 M26 1995

Martin, Shannon E. *Bits, Bytes and Big Brother*. Praeger 1995
KF 2765 .M37 1995

*Mauet, Thomas A. *Trial Techniques, 4th Edition*. Little Brown & Co.
KF 8915 .M38 1996

McClean, J. D. *International Judicial Assistance*. Oxford
K 7624 .M35 1992

McNeil, Christopher B. *Preventing And Responding To Workplace Sexual Harassment*. LRP

Publications
KF 3467 .M39 1996

Meisel, Alan. **The Right To Die*, 2nd ed. Wiley Publications
KF 3827 .E87 M45 1995

Mersky, Roy M. *Law In A Digital Age: The Challenge Of Research In Legal Information Centers-An Analytical Justification*. Glanville Publishers, Inc.
Z 675 .I2 H359 1996

**Modern Judicial Ethics*. National Judicial College
KF 8779 .M64 1992

*Richman, Bruce L. *Tax And Financial Planning Strategies In Divorce*. Wiley
KF 633 .M34 1996

Ross, William G. *A Muted Fury: Populists, Progressives and Labor Unions Confront the Courts*. Princeton University Press
KF 4575 .R67

*Russell, Gregory D. *The Death Penalty and Racial Bias*. Green Wood Press
KF 9725 R87 1994

A Survey of State Judicial Fringe Benefits. ABA
KF 8777 .Z95 S97 1996

Wicclair, Mark R. *Ethics And The Elderly*. Oxford
RA 564.8 .W49 1993

Wice, Paul B. *Court Reform and Judicial Leadership*. Praeger, 1995.
KFN 2316 .M53 W53 1995

*Witkin, B.E. *California Procedure*. Bancroft Whitney
K.C. 995 .W52 1996

*Woods, Henry. *Comparative Fault*. Clark Boardman Callaghan
KF 1286 .W66 1996